

Court Ruling Saves Public Libraries

By Rep. Ernest J. Istook

Congressman Ernest Istook (R, OK) is the principal House author of the Children's Internet Protection Act, and is former chairman of the public library system in the Oklahoma City area.

America's public libraries have just been saved from the American Library Association.

On Monday, the Supreme Court by 6-3 upheld a law requiring obscenity filters on federally-funded computers in public libraries to which children have access.

The decision did more than uphold a common-sense law protecting kids from pornography. It helped preserve the institution of public libraries in America. The Children's Internet Protection Act (CIPA) and the Supreme Court have stopped the American Library Association and the ACLU from pushing our cherished public libraries into becoming adult bookstores.

Had the ACLU and the ALA prevailed, public libraries could never again be safe places for our kids, and the libraries' historic popular support would have suffered. What parent would leave his youngster for a quiet afternoon at a library where readily-viewable computer screens are being used to access pornography? That sort of environment is hostile not only to children, but also to the librarians who work there. Many librarians have in fact quit rather than work in such surroundings.

The ACLU and the ALA argued that today's libraries must be "public forums" with no restrictions on what is available. The Supreme Court said no; instead, it upheld the libraries' classic role of providing "only those materials deemed to have 'requisite and appropriate quality'" to promote education and information.

As Chief Justice Rehnquist wrote, "public libraries must have broad discretion to decide what material to provide to their patrons. . . . their goal has never been to provide 'universal coverage'." A public library has always had a "traditional role in identifying suitable and worthwhile material; it is no less entitled to play that role when it collects material from the Internet than when it collects material from any other source."

It's common-sense that libraries should exercise judgment in deciding what to make available. Their choices won't be perfect regarding the Internet, just as they make imperfect choices regarding books and magazines. But that's no excuse for not trying.

Additionally, the justices clearly noted that the new federal law is not a universal mandate, for two reasons. First, CIPA permits library patrons to request that a filter be momentarily disabled, "for bona fide research or other lawful purpose." Second, as the Court ruled, "To the extent that libraries wish to offer unfiltered access, they are free to do so without federal assistance."

Over \$1-billion federal dollars have been spent to provide computers and Internet access in libraries. Any community that wants to provide pornography to kids more than it wants federal dollars is free to make that choice -- abhorrent as it would be.

The American Library Association and the American Civil Liberties Union object to having libraries make such a choice. The ALA for years has taken the position that public libraries should apply no restrictions on what they provide to children. Their extremism demonstrates just how important this ruling and this law are.

Good parents instruct their children about people, places and things to avoid; we don't need to add public libraries to that list.

Congressman Ernest Istook (R, OK) is the principal House author of the Children's Internet Protection Act, and is former chairman of the public library system in the Oklahoma City area.

.